



Oregon

Tina Kotek, Governor

Department of Environmental Quality

Western Region Salem Office

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Salem, OR 97302

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TTY 711

June 16, 2024

Max Baker, Interim City Administrator
City of Lowell
PO Box 490
Lowell, OR 97452

Re: Pre-Enforcement Notice
City of Lowell Wastewater Treatment Plant
2025-PEN-9921
NPDES Permit #101384, EPA ID OR0020044
File 51447
WQ-Lane County

Dear Mr. Baker,

DEQ has reviewed the sanitary sewer overflow reports received on December 29, 2024, January 24, 2025, and two on March 16, 2025.

The December 2024 SSO reported about 588 gallons spilled from 74 North Alder Street near the pump station and entered Dexter Reservoir. The city reported that this overflow was caused by a rainfall event that was less than a 5-year, 24-hour storm. DEQ determined that the 5-year, 24-hour storm is 4.25 inches for the city by reviewing the Western Regional Climate Center's Western U.S. Precipitation Frequency Maps. None of the reported SSOs indicated that the rainfall was more than 2.4 inches of rain in the 24 hours prior to the SSO.

The January 2025 SSO reported about 10 gallons spilled from a manhole near 58 North Alder Street that did not reach waters of the United States. The city reported that this overflow was caused by a root ball at a customer's lateral connection to the main.

There were two SSOs reported on March 16, 2025. The first reported about 73,557 gallons from 58 North Alder Street near the pump station. The second reported about 324,000 gallons from 240 S Moss Street at the wastewater treatment plant. Both overflows reached Dexter Reservoir, and the city reported they were caused by a rainfall event less than a 5-year, 24-hour storm.

City of Lowell staff reported this SSO to OERS within 24 hours of becoming aware of the SSO as required by Schedule F, condition B6 of its NPDES permit #101384.

Violation

Based on this review DEQ has concluded the City of Lowell is responsible for the following violation of its permit and Oregon environmental law.

Schedule F, section B, condition 6(b) of the permit prohibits all overflows. The SSO's in December 2024 and March 2025 reached waters of the United States and therefore are Class I violations per OAR 340-012-0055(1)(a).

Requested Corrective Actions

By November 1, 2025, please submit documentation that the following issues have been corrected:

1. Report on the collection system repair work that is outlined in the City's Wastewater Facilities Plan dated September 2024. Include the following:
 - a. Was the I&I reduction work completed as outlined in the Wastewater Facilities Plan?
 - b. Were the Alder Street lift station upgrades completed or scheduled for completion as outlined in the Wastewater Facilities Plan?
 - c. Other collection system improvements completed since the 2024 I&I annual report was submitted.
 - d. A capacity analysis if not complete with the development of the Wastewater Facilities Plan.

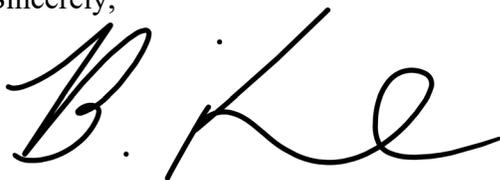
Class I violations are the most serious violations; Class III violations are the least serious. Oregon Revised Statute 468B.025(2) requires compliance with your permit.

These serious violations are being referred to DEQ's Office of Compliance and Enforcement for formal enforcement action. Formal enforcement action may result in assessment of a civil penalty and/or DEQ order. Civil penalties can be assessed for each day of violation.

If you believe any of the facts in this pre-enforcement letter are in error, you may provide information to me at the office at the address shown at the top of this letter. DEQ will consider the new information you submit and take appropriate action.

If you have any questions, please contact me in writing at brenda.kuiken@deq.oregon.gov or by phone at (503) 893-0924.

Sincerely,



Brenda Kuiken
WQ Compliance Specialist

cc: DEQ Salem Office file

ec: Ranei Nomura, Manager, Western Region DEQ
Oregon Records Management Solution